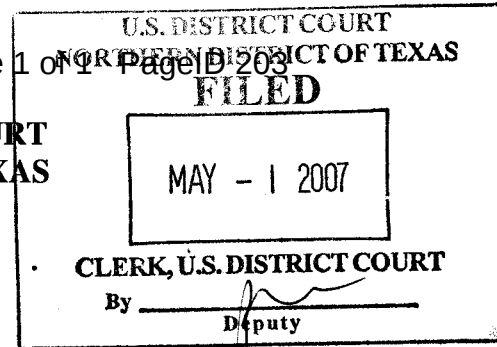


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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**



CHRISTINE M. SCULLY,
Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,
Defendant.

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**Civil Action No. 3:05-CV-0574-B
ECF**

Order

After *de novo* review of the United States Magistrate Judge's findings and recommendation regarding Plaintiff's unopposed motion to lift stay and now unopposed Application for Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, the Court hereby adopts the findings and recommendation.

Accordingly, the Court finds that the stay is lifted, that Defendant's position was not substantially justified, that Plaintiff is entitled to fees under the Equal Access to Justice Act, and that the requested attorney fees are reasonable. Therefore, the District Court hereby Orders:

The stay on the application for EAJA fees is lifted and Plaintiff is awarded attorney's fees under the Equal Access to Justice Act in the amount of \$5,913.54. This amount is payable directly to Plaintiff's attorneys, Troutman & Troutman, P.C., Tax ID No. 73-1487089, who will reimburse Plaintiff for the smaller of either the EAJA award or a subsequent award under 42 U.S.C. § 406(b), should one ultimately be authorized, as required by law.

IT IS SO ORDERED this 1st day of May, 2007.


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE